

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>July 11, 2012</u>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NORCAST S.AR.L.,	:	
	:	
Plaintiff,	:	
	:	12 Civ. 4973
v.	:	<u>ORDER</u>
	:	
CASTLE HARLAN, INC.	:	
	:	
Defendant.	:	
	:	

HONORABLE PAUL A. CROTTY, United States District Judge:

On June 4, 2012, Norcast S.ar.l. ("Norcast") instituted this action against Castle Harlan, Inc. in New York Supreme Court. On June 25, 2012, Castle Harlan removed the action to this Court, pursuant to 9 U.S.C. § 205, on the grounds that a Confidentiality Agreement between the parties requires arbitration of all claims. On June 27, 2012, this action was reassigned from Judge Forrest to this Court.

On July 2, 2012, Castle Harlan submitted a pre-motion letter requesting permission to file a motion compel arbitration and to dismiss and/or stay this action pending arbitration. On July 6, 2012, Norcast submitted a pre-motion letter opposing Castle Harlan's request and seeking permission to file a motion to remand the action to New York State court, for lack of subject matter jurisdiction. On July 9, 2012, Castle Harlan submitted a reply letter, proposing that the parties file cross-motions to compel arbitration and to remand, and hold in abeyance any other dispositive motions.

On July 9, 2012, Judge Forrest issued an order setting a briefing schedule regarding Castle Harlan's motion to compel arbitration.¹ Judge Forrest's July 9, 2012 order is modified to allow the parties to file cross-motions for removal and to compel arbitration. All other

¹ The Court has received and reviewed Norcast's July 9, 2012 letter, bringing Judge Forrest's order to this Court's attention.

dispositive motions will be held in abeyance pending the Court's ruling on the cross-motions.

The parties are to meet and confer, and propose a briefing schedule, whereby briefing is complete no later than August 27, 2012. The parties shall provide the proposed briefing schedule in a letter to the Court no later than July 18, 2012.

Dated: New York, New York
July 11, 2012

SO ORDERED

A handwritten signature in black ink, appearing to read "Paul A. Crotty", written over a horizontal line.

PAUL A. CROTTY
United States District Judge